

*The western
escarpment of
King Lear Peak
in the South
Jackson
Mountains
Wilderness
Area*



Record of Decision

Black Rock Desert
High Rock Canyon
Emigrant Trails
National Conservation Area,
Associated Wilderness and
Other Contiguous Lands

Record of Decision

*Autumn in the
South Jackson
Mountains
looking towards
King Lear Peak*



INTRODUCTION

The Black Rock-High Rock planning area consists of 1.2 million acres of public lands in northwest Nevada (Map 1-1). This area includes parts of Washoe, Pershing and Humboldt counties and is administered by the Bureau of Land Management's Winnemucca (Winnemucca, Nevada) and Surprise (Cedarville, California) Field Offices. The planning area includes all 1,172,680 acres designated in the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 as the NCA and ten Wilderness Areas. Several other relatively small areas not within the NCA or Wilderness Areas are included in the planning area because they are contiguous to the NCA or Wilderness and similar planning issues apply to them. These other areas (totaling 32,360 acres) are: the South Playa located between the south boundary of the NCA and the town of Gerlach, the Lahontan Cutthroat Trout Wilderness Study Area (WSA), acquired federal lands within the WSA, the strip of public land located between the WSA and the Summit Lake Paiute Indian Reservation, and road and motorized trail corridors associated with Wilderness access and boundaries and with the NCA boundary.

The primary decision is to approve the attached Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and Associated Wilderness Areas, and Other Contiguous Lands in Nevada Resource Management Plan (RMP). Included in the RMP are some management actions that are implementation decisions rather than land use planning decisions. These implementation decisions are discussed in Attachment 1.

LAND USE PLAN DECISIONS

The decision is hereby made to approve the attached Resource Management Plan for the Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness Areas, and Other Contiguous Lands in Nevada within the Surprise and Winnemucca Field Offices, Bureau of Land Management (BLM). This plan was prepared under the regulations implementing the Federal Land Policy and Management Act of 1976 (43 CFR Part 1600). An environmental impact statement was

prepared for this RMP in compliance with the National Environmental Policy Act (NEPA) of 1969. The RMP is essentially identical in intent to the preferred Alternative D described in the Proposed Resource Management Plan and Final Environmental Impact Statement for the planning area published in September 2003. Specific management goals, objectives and decisions for public lands within the planning area are presented in the section entitled "Resource Management Plan" later in this document.

Land use plan decisions are identified in the attached RMP (summarized in Table ROD-1) and include:

1) Goals, objectives, standards, and guidelines that define desired outcomes or future conditions.

2) Land use allocations including:

Mineral withdrawals for locatable minerals

Two Areas of Critical Environmental Concern

3) Visual resource management (VRM) class designations

4) Allowable uses and restrictions including:

Specific off-highway vehicle (OHV) area designations

Mineral leasing restrictions

Areas allotted to and excluded from livestock grazing

Areas open or closed to specific types and levels of special recreation and land use permitting

This Record of Decision becomes effective on the date it is signed and finalizes the land use planning decisions described above. Administrative remedies for the land use plan goals, objectives and decisions are no longer available.

NOTICE OF MODIFICATION

The following modifications to the Proposed Plan are a result of comments and protests BLM received on the Proposed Plan and as a result of recommendations made during the Governor's consistency review. Final decisions, terms and conditions are described in detail in Chapter 2 of this Approved Plan.

Geothermal Leasing: The Proposed Plan stated that future geothermal leasing in the South Playa area could occur subject to no-surface-occupancy requirements. This decision has been modified to allow for future geothermal leasing in the South Playa area consistent with existing laws, regulations and other constraints imposed by the RMP.

OHV Areas: The Proposed Plan classified two small dry lakebeds as Open to OHV use. This decision has been changed so that OHV use on the two lakebeds will be limited to designated roads and trails.

Wildlife Management in Wilderness Areas: The Proposed Plan included specific decisions related to management of wildlife resources within designated wilderness areas by the Nevada Department of Wildlife (NDOW). Subsequent to publication of the FEIS/Proposed RMP, BLM and NDOW developed a Memorandum of Understanding (Supplement No. 9) on Wildlife Management in Nevada BLM Wilderness Areas. This memorandum included more comprehensive guidance on the subject than was contained in the Proposed Plan and also implemented interagency processes to accomplish wildlife management actions and resolve potential conflicts related to wildlife management in designated wilderness areas. The specific decisions within the Proposed Plan have been replaced with reference to the actions and processes contained within the MOU.

Record of Decision

Table ROD-1.—Summary of land use allocations

	Number	Acres	Miles	Decision Reference\Map Number
Land Health Standards				
Area where Northwestern NV/Sierra Front Standards Apply		1,018,751		LHS-1\Map 2-1
Area where Northeastern CA/ Northwestern NV Standards Apply		186,289		LHS-1\Map 2-1
Transportation				
Routes designated as BLM System Roads	7		45	TRAN-1\Maps 2-2a – 2-2f
Routes designated for Wilderness Boundary and Other Access			343	TRAN-7\Maps 2-2g
Off-Highway Vehicle Management				
Area open to OHV use		104,775		OHV-1\Map 2-2a
Area closed to OHV use		751,893		OHV-1\Map 2-2a
Area with limited OHV use		348,371		OHV-1\Map 2-2a
Cultural Resource Management				
Class C emigrant trail segments closed to motorized vehicles	2		6	CRM-3\Map 2-2a, 2-2b, 2-2d, 2-2e
Paleontological Resource Management				
Area closed to fossil collection	1	252		PAL-3\Map 2-14a, 2-14b
Area open to fossil collection with restrictions		1,204,788		PAL-4
Wilderness Management				
Area adjacent to WSA managed to retain wilderness characteristics		1,092		LCT Area-1\Map 2-3
Special Management Areas				
Expand existing ACEC	1	2,077		ACEC-4\Map 2-4
Decrease existing ACEC	1	5,664		ACEC-3\Map 2-4
Recommend suitable WSR	0	0		WSR-1
Livestock Grazing Management				
Areas allotted to grazing	19	895,920 ¹		GRAZ-1\Map 2-5
Areas unallotted to grazing	2	309,120		GRAZ-3\Map 2-5
Area excluded from grazing	1	2,562		GRAZ-3\Map 2-3
Areas with prescriptive grazing requirements	4	63,501 ²		GRAZ-3, GRAZ-10, GRAZ-11
Wild Horse and Burro Management				
Herd management areas	12	481,903 ¹		WHB-1\Map 2-6
Unoccupied herd areas	1	3,669 ¹		WHB-2\Map 2-6
Initial AMLs (minimum and maximums)				Table 2-5
Horses	1,079 to 1,586			
Burros	30 to 40			

Record of Decision

	Number	Acres	Miles	Decision Reference\Map Number
Fire Management				
Area of full wildfire suppression		42,841		FIRE-2\Map 2-7
Area of potential for modified wildfire suppression		1,162,199		FIRE-2\Map 2-7
Visual Resource Management				
Area in VRM class I		767,475		VRM-1\Map 2-8
Area in VRM class II		437,565		VRM-2\Map 2-8
Lands and Realty				
Area within designated utility corridors	2	4,995		LAND-3, LAND-4\Map 2-10
Area where Recreation and Public Purposes Act leases would be issued		0		LAND-7
Area where above ground utilities not permitted		104,546		LAND-8
Energy and Mineral Management				
Areas open to mineral location		0		MIN-1
Areas open to mineral leasing (except geothermal)		0		MIN-2, MIN-3
Areas open to geothermal leasing		14,519		MIN-3\Map 2-12
Areas open to salable mineral disposal		0		MIN-5
Areas open to salable mineral use for maintenance of official roads		437,447		MIN-5
Visitor Use Management Zones				
Area designated as Front Country Zone		121,245		ZONES-1\Map 2-13
Area designated as Rustic Zone		316,076		ZONES-1\Map 2-13
Area designated As Wilderness Zone		767,719		ZONES-1\Map 2-13
Recreation				
Special Recreation Management Areas	1	1,205,040		REC-1
Areas where dispersed camping would be allowed		1,185,413		REC-5
Areas where vehicle related camping would restricted to designated sites		36,867		REC-6, REC-8\Map 2-14a, 2-14b
Designation of Desert Trail corridor			93	REC-16\Map 2-14a, 2-14b
Area of playa where campfires would be allowed only with protective pans and shields		104,546		REC-18\Map 2-14a
Area where collection of rock, minerals and non-vertebrate fossils allowed		1,204,788		REC-20
Areas where Class I Special Recreation Permits (SRP) would be issued		1,205,040		REC-23
Areas where Class II Special Recreation Permits (SRP) would be issued		1,205,040		REC-23
Areas where Class III Special Recreation Permits (SRP) would be issued		78,676	148	REC-23\Map 2-15
Areas where Class IV Special Recreation Permits (SRP) would be issued		78,676		REC-23\Map 2-15
Rocket launch safety zone		12,499		REC-28\Map 2-15

Notes

¹ Acres within the Planning Area.

² Acres included within areas allocated to livestock grazing, acres are estimate based upon current fences and topographic boundaries that may change during implementation.

Livestock Grazing and Vegetation Management: The Proposed Plan included a number of objectives related to livestock grazing and vegetation management. A number of these objectives have been reworded to better reflect the BLM's intent in managing these resources and to eliminate potential confusion among some members of the livestock industry.

Formatting of the RMP: The RMP has been reformatted and many decisions reworded from the way they appeared in the Proposed RMP. This was done to improve the readability and clarity of the document without changing the intent. In several cases, decisions that are considered implementation decisions were placed into separate implementation sections to distinguish them from land use plan decisions.

ALTERNATIVES CONSIDERED

Five alternatives are analyzed in detail in the Proposed RMP/FEIS (USDI-BLM 2003). Public input received throughout the planning process drove development of the alternatives. The overall theme determined the types of management actions that would be applied. All alternatives were designed to meet RMP management goals, but differed in how fast management goals would be met (when during the 20-year life of the plan management goals would be met), prioritization within programs, and emphases placed on different levels of visitor use and desired services.

All alternatives included maintenance of existing facilities; however, the level of maintenance varied by alternative. All alternatives incorporated or complied with the management direction provided by the existing biological opinions issued by the U.S. Fish and Wildlife Service (FWS), the applicable recovery plans developed by FWS, applicable Rangeland Health Standards, and the "Interim Management Policy for Lands Under Wilderness Review" (Wilderness IMP) (USDI-BLM 1995b).

No Action Alternative

The No Action Alternative continues present management based upon four existing management framework plans: Tulead/Home Camp Management Framework Plan (MFP) (1976), Sonoma/Gerlach MFP (1982), Paradise/Denio MFP (1982), and Cowhead/Massacre MFP (1983) and various existing activity plans. It includes the management direction and protections provided by all currently approved activity plans such as allotment management plans or habitat management plans. Resource values or sensitive habitats receive management emphasis at present levels (maintaining existing conditions).

Alternative A (Emphasis on Natural Processes)

Management activities emphasize providing visitors the opportunity to experience, in a self-directed fashion, the physical setting that the emigrants and other early visitors to the area experienced in the mid-1800s. There would be limitations on visitor activities to protect both visitors and resources by minimizing the number of facilities provided, and creating additional restrictions on recreational activities. Existing transportation routes, signage, and visitor facilities would be rarely upgraded and then only to protect resource conditions. Leases for minerals would not be issued and issuance of rights-of-way grants would be restrictive.

Alternative A is considered the environmentally preferable alternative. This alternative would result in the fewest long-term changes associated with visitor services and would be expected to result in the slowest growth of visitation to the planning area.

Alternative B (Emphasis on Response to Change)

Alternative B was designated by BLM as the "Preferred" Alternative in the Draft EIS. This alternative also emphasizes providing visitors the opportunity to experience a physical setting close to what existed

in the mid-1800s, in a self-directed fashion. However, unlike Alternative A, this alternative employs a management approach that allows identification and accommodation to changing conditions over time by applying management decisions responsive to change. This alternative has the flexibility to respond to increasing visitation and resource deterioration that could occur over the long term.

Existing transportation routes, signage, and facilities could be changed in response to resource conditions or visitor use including the future development of a visitor center outside the NCA. Utility rights-of-way and land use permits would be subject to limitations consistent with VRM goals. Development of locatable, leasable and saleable minerals on federal lands within the planning area would be restricted.

Alternative C (Emphasis on Visitation and Interpretation)

Emphasis focuses on more active visitor support with less emphasis on management of natural and cultural resources. More recreational facilities, including trails and campsites, would be established than in other alternatives and there would be only minimal restrictions applied to recreational use. A range of upgrades would be anticipated to both the transportation system (new signage, etc.) and to facilities including a visitor center that could be developed in or near the NCA. The highest levels of utility rights-of-way as well as limited geothermal development and land use permits would be accommodated.

Alternative D (Proposed RMP)

Alternative D was not contained in the Draft EIS and RMP. It was developed as a result of public and agency comments received on the alternatives evaluated in the DEIS and represented the Proposed Resource Management Plan for the planning area. Alternative D draws primarily upon Alternative B, the preferred alternative in the Draft EIS, but selectively adopts portions of the other three alternatives. It corresponds closely with the recommendations made by the RAC subgroup and in other public comments in a manner that protects the resources and uses recognized in the NCA Act while minimizing short-term, on-the-ground changes in management. The use of an adaptive management approach provides flexibility to change management intensity as public use increases.



Tracks on the Playa



*Views of Stevens
Camp*

MANAGEMENT CONSIDERATIONS FOR SELECTION OF THE RMP

The alternatives described in the Draft Management Plan/DEIS and public comment and input provided throughout this planning process were considered in preparing the Proposed Plan. The Proposed Plan was composed of a combination of decisions from the five alternatives considered in the Draft Management Plan/DEIS with emphasis on the Preferred Alternative (Alternative B).

This approach to managing the planning area was chosen because it: (a) is consistent with the requirements and intent of the NCA Act to “preserve, protect, and enhance” the nationally significant resources of the Black Rock Desert-High Rock Canyon area for “current and future generations of Americans”, (b) best addresses the diverse community and stakeholder concerns in a fair and equitable manner, (c) is consistent with public input provided by the RAC Subgroup and Tribal, State and local governments, and (d) provides a workable framework for future management of the planning area. Among the attributes leading to this determination are: provisions for protecting NCA and wilderness resources (historic emigrant trails, archaeological, geological and biological resources, and wilderness characteristics) including special features such as special status species and riparian areas; establishment of an adaptive management program that will be used to define and protect resources as knowledge increases and circumstances change; and provisions for visitor use in a manner consistent with the protection of the cultural and natural resources. The Approved Plan is very similar to the Proposed Plan with minor revisions and clarifications stemming from the eight protests received and from the Governor’s consistency review.

CONSISTENCY REVIEW

The Plan is consistent with plans and policies of the Department of the Interior and Bureau of Land Management, other federal agencies, Tribal governments, State government, and local governments to the extent that the guidance and local plans are also consistent with the purposes, policies, and programs of federal law and regulation applicable to public lands. No formal comments were received from federal or Tribal governments indicating the proposed plan was inconsistent with other existing plans or policies. The Governor of the State of Nevada in his letter dated November 17, 2003, identified potential inconsistencies with the proposed RMP from two state agencies. No inconsistencies were identified by any of the eight other state agencies that were involved in the planning process. BLM’s analysis of the potential consistency issues from the Department of Wildlife and the Division of State Parks did not support the positions of the two state agencies. A letter documenting this analysis was provided to the Governor on December 10, 2003.

MITIGATION MEASURES

Mitigation measures are built into the RMP. Sensitive resources are protected through resource allocations, route and cross-country vehicle closures, and limitations and restrictions placed on developments and other activities. All practicable means to avoid or minimize environmental harm are carried forth in the RMP. During the next tier of planning, which allows for more detailed and site-specific analysis, additional measures will be taken, as necessary, in order to mitigate potential impacts to the environment. Monitoring will determine how effective these measures are in minimizing environmental impacts. Additional measures to protect the environment may be taken during or following monitoring.

PLAN MONITORING

During the life of the approved plan, the BLM expects that new information gathered from field inventories and assessments, research, other agency studies, and other sources will update baseline data or support new management techniques and scientific principles. To the extent that such new information or actions address issues covered in the RMP, the BLM will integrate the data through a process called plan maintenance or updating. This process includes the use of an adaptive management strategy. As part of this process, the BLM will review management actions and the RMP periodically to determine whether the objectives set forth in this and other applicable planning documents are being met. Where they are not being met, the BLM will consider adjustments of appropriate scope. Where the BLM considers taking or approving actions which would alter or not conform to the overall direction of the RMP, the BLM will prepare a plan amendment and environmental analysis of appropriate scope and seek additional public comment. A more detailed discussion of implementation and the use of adaptive management is included in Chapter 3 of the RMP.

PUBLIC INVOLVEMENT IN THE PLANNING PROCESS

SCOPING

Public involvement is an integral part of BLM's resource management planning process. The official start of the preparation of the Black Rock-High Rock NCA RMP/EIS began with publication of a Notice of Intent (NOI) to prepare a RMP/EIS in the *Federal Register* on December 6, 2001 (FR, Vol. 66, No. 235, pg. 63406). During the 90-day scoping period, this notice included an invitation to the public to suggest issues to be addressed in the RMP and to provide comments concerning management of the public lands and resources.

Eight public meetings took place using an "open house" format between November 2001 and January 2002 to provide members of the public an opportunity to interact one-on-one with resource specialists from the BLM on various resources. Scoping workshops were held in Reno, Gerlach and Winnemucca, Nevada and Cedarville and Sacramento, California. In addition, a separate scoping workshop was held specifically for tribal representatives on December 4, 2001 in Reno, Nevada. Since publication of the NOI in the *Federal Register* did not occur until December 6, 2001, the initial five public workshops were precluded from being formal scoping meetings under the NEPA process. Two additional workshops using the identical format were conducted during the official scoping period in mid- January in Reno, Nevada and Sacramento, California. BLM considered all input received during all eight workshops as scoping comments. The 825 comments received during scoping were evaluated and incorporated as applicable during the development of alternatives and the impact analysis for the DEIS.



*Public Meeting on the
Draft RMP/EIS*

RESOURCE ADVISORY COUNCIL BLACK ROCK-HIGH ROCK SUBGROUP

The Sierra Front-Northwestern Great Basin and Northeast California Resource Advisory Councils (RACs) formed the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Subgroup (NCA Subgroup) in April 2001. The purpose of the NCA Subgroup was to work collaboratively with BLM and to provide advice and counsel to the two parent RACs during the congressionally mandated, time-sensitive resource management planning process for the NCA Planning Area.

The NCA Subgroup included 26 members and met 10 times. In addition, some members also participated in field trips to the NCA, attended additional meetings of the two parent RACs, and took part in other NCA related BLM planning and public scoping meetings. The regular meetings and the workshop covered a total of 15½ days. Based on average attendance, this means that the members of the NCA Subgroup donated a total of 2,500 hours of their time to the NCA planning process.

DRAFT RMP/EIS

A 90-day comment period on the DEIS was initiated with the publication of the Notice of Availability in the *Federal Register* on March 7, 2003 (FR, Vol. 68, No. 45, pg. 11127). Approximately 1,300 copies of the Draft RMP/EIS (USDI-BLM 2003) were mailed out to interested agencies, Tribes, individuals, and organizations. The document was also posted on the Black Rock-High Rock NCA planning webpage (<http://www.blackrockhighrock.com>). Five public meetings were held during the 90-day public comment period on the Draft. A total of 320 comment letters were received from federal and State agencies, Tribal governments, local governments, advisory groups, conservation or environmental organizations, commercial interests, and other interested members of the public. Approximately 4,000 additional comments were received via email, most as form letters. About 75 letters contained what were considered substantive comments. Substantive comments and the BLM responses as well as the names of all those that commented were included in Appendix N of the "Proposed RMP/Final EIS" (USDI-BLM 2003).

PROPOSED RMP/FINAL EIS

A 30-day protest period on the Proposed RMP was initiated with the publication of the Notice of Availability in the *Federal Register* on September 17, 2003 (FR, Vol. 68, No. 180, pg. 54487) in accordance with 43 CFR Part 1610.5-2. Eight protests were received and subsequently resolved as described above in **Notice of Modification**. Additional comments were also considered during the preparation of the RMP to improve readability of the document.

CONSULTATION WITH U.S. FISH AND WILDLIFE SERVICE

Early in the planning process, the BLM initiated consultation with the U.S. Fish and Wildlife Service (USFWS) regarding the potential impacts of actions proposed in the Black Rock-High Rock NCA RMP to federally listed species or species proposed for listing. This was consistent with the procedures included in the memorandum of agreement between the BLM and the USFWS completed in September 2000. The USFWS provided BLM with lists of federally-listed species, species that are candidates for listing and other species of concern that may occur in the planning area. Species that are known to occur in the planning area were addressed in the planning process. Formal consultation with the Reno office of the USFWS concerning the potential impacts of implementing the RMP on four species was initiated on November 4th, 2003. The USFWS provided its Biological Opinion on the Proposed Plan on January 31, 2004. The Biological Opinion concluded that implementation of the RMP would not jeopardize the continued existence of any of the four affected species.

TRIBAL PARTICIPATION

Under Federal law and regulations, consultation with Native American Tribes having interests in the planning area is required. The NCA planning staff met or spoke with representatives of the governments of all such Tribes. Copies of the scoping packet, “Summary of the Analysis of the Management Situation” (USDI-BLM 2000f), “Draft RMP/EIS” (USDI-BLM 2001a), and “Proposed RMP/Final EIS” (USDI-BLM 2003) were sent to each Tribal government for review and comment. The Council Chairs of two Tribal governments were members of the RAC Subgroup and provided input to the BLM and other members of the subgroup throughout the planning process. A scoping workshop dedicated to Tribal representatives was held in Reno, Nevada in December 2001. The BLM held two open meetings specifically for Tribal representatives: on January 16, 2002 in Reno, Nevada, and on April 12, 2002 in Winnemucca, Nevada. BLM managers appeared before six Tribal Council meetings in northwest Nevada and northeast California in July and August 2003.

RMP IMPLEMENTATION

The Black Rock-High Rock NCA will develop an implementation strategy or “business plan”, that will allow further opportunities for public involvement in determining what portions of the NCA RMP should be highest priority for future implementation.

BLM is proposing that the two RACs support the use of an implementation related RAC Subgroup to work collaboratively with BLM and to provide advice to the RACs during implementation of the RMP. The subgroup concept is discussed in Section 3.6 of the RMP.

Local Native American Tribes, the Nevada State Historic Preservation Office and the U.S. Fish and Wildlife Service will continue to be consulted during plan implementation for all actions that may affect, respectively, interests of Native Americans, cultural resources, or special status species. Cultural resource surveys and sensitive species surveys would be conducted prior to any ground-disturbing activity or land disposal. The results of these surveys would be used by BLM to determine whether additional consultations with the Nevada State Historic Preservation Office or the U.S. Fish and Wildlife Service would be required to comply with the National Historic Preservation Act or the Endangered Species Act respectively.

APPROVAL

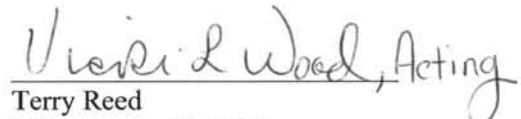
We recommend approval of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and Associated Wilderness Areas, and Other Contiguous Lands in Nevada Resource Management Plan.



Dave Cooper
Black Rock-High Rock
NCA Manager

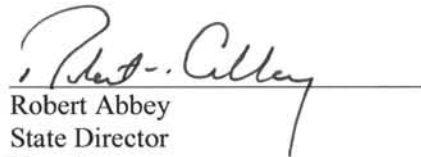


Owen Billingsley
Surprise Field Manager



Terry Reed
Winnemucca Field Manager

In consideration of the foregoing, we approve the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and Associated Wilderness Areas, and Other Contiguous Lands in Nevada Resource Management Plan.



Robert Abbey
State Director
Nevada



Mike Pool
State Director
California

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IMPLEMENTATION DECISIONS

It is BLM's intent to implement, over time, a number of specific project level actions authorized in the approved RMP, as funding and staff are available. These are called "implementation decisions" (as opposed to the land use planning decisions described above).

Implementation of many decisions in the RMP will require the preparation of detailed, project-level NEPA analyses prior to implementation. Public involvement opportunities, including appeal or protest opportunities, may be provided at that time.

The decisions referenced in Table ROD-2 have been considered in adequate detail in the DEIS and FEIS and therefore no additional detailed, project-level NEPA analysis is necessary to implement them. These decisions are now subject to appeal as described below.

Table ROD-2.—Implementation Actions Now Subject to Appeal

Action	Decision Reference
Transportation	
Designation of roads and motorized trails open to motorized use, except for motorized trails associated with TRAN-7.	OHV-2, LCT Area-3
Designation of routes closed to motorized use	OHV-2
Wilderness and Wildlife Management	
Maintenance of existing water sources for wildlife	FW-8

APPEAL PROCEDURES FOR IMPLEMENTATION DECISIONS

Any party adversely affected by implementation decisions contained in Table R-2 may appeal within 30 days of receipt of this decision in accordance with the provisions of 43 CFR 4.4. The appeal must include a statement of reasons or file a separate statement of reasons within 30 days of filing the appeal. The appeal must state if a stay of the decision is being requested in accordance with 43 CFR 4.21 and must be filed with the NCA Manager, at the following address:

Black Rock-High Rock NCA
Bureau of Land Management
5100 E Winnemucca Blvd
Winnemucca NV 89445-2921

A copy of the appeal, statement of reasons and all other supporting documents should be sent to the Regional Solicitor, Intermountain Region, US Department of the Interior, 6201 Federal Bldg, 125 South State Street, Salt Lake City UT 84138-1180. If the statement of reasons is filed separately it must be sent to the Interior Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Blvd, Arlington VA 22203. It is suggested that any appeal be sent certified mail, return receipt requested.

Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of these implementation decisions, you must show sufficient justification based on the following standards contained in 43 CFR 4.21:

- The relative harm to the parties if the stay is granted or denied;
- The likelihood of the appellant's success on the merits;
- The likelihood of immediate and irreparable harm if the stay is not granted; and
- Whether the public interest favors granting the stay.

As noted above, the motion for stay must be filed in the office of the authorized officer.